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March 15, 2004

from JAMES E. BEYERDirect: 937-449-6438 / Fax: 937-223-0724 / james.beyer@dinslaw.com**To:****Firm:** U.S. Patent and Trademark Office**RECEIVED
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Fax Number: (703) 872-9306**OFFICIAL****Client Number:** BAT 0063 PA/40078.243**Pages:** 14
(including cover)**Comments:** Please see the attached Preliminary Amendment.

If there are any problems in receiving this transmission, please call Vicki Hebbard (937) 223-2050 immediately. Thank you.

Application of

Applicants : Toney
Serial No. : 10/658,105
Filed : September 9, 2003
Title : MULTI-BARRIER PHOTONIC HETEROSTRUCTURES
Docket : BAT 0063 PA/40078.243
Art Unit : 2811

JEB/vlh

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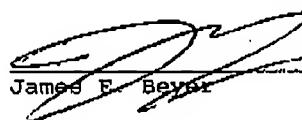
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Commissioner for Patents
P.O. Box 1450
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39,564
Reg. No.

Sir:

PRELIMINARY AMENDMENT

This paper is being filed prior to receipt of an Office Action in the above-noted application. Consideration of the present application is respectfully requested in light of the amendments and remarks below, which include, in order of appearance, beginning on separate sheets:

- Amendments to the Claims; and
- Remarks.